UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS AUSTIN DIVISION

PNC BANK, N.A. COLUMBIA	§
HOUSING SLP CORPORATION, and	§
2013 TRAVIS OAK CREEK, LP	§
	§
Plaintiffs,	§
	§
V.	§
	\$ \$ \$
2013 TRAVIS OAK CREEK GP, LLC,	§
2013 TRAVIS OAK CREEK	§
DEVELOPER, INC.,	§
CHULA INVESTMENTS, LTD.,	§
and RENE O. CAMPOS	§
	§
	•
Defendants.	\$ \$ \$
Defendants.	Civil Action No. 1:17-cv-584-RP
	Civil Action No. 1:17-cv-584-RP (Consolidated with 1:17-cv-560-RP)
2013 TRAVIS OAK CREEK GP, LLC	Civil Action No. 1:17-cv-584-RP (Consolidated with 1:17-cv-560-RP) §
	Civil Action No. 1:17-cv-584-RP (Consolidated with 1:17-cv-560-RP) §
2013 TRAVIS OAK CREEK GP, LLC and 2013 TRAVIS OAK CREEK, LP,	Civil Action No. 1:17-cv-584-RP (Consolidated with 1:17-cv-560-RP) §
2013 TRAVIS OAK CREEK GP, LLC	Civil Action No. 1:17-cv-584-RP (Consolidated with 1:17-cv-560-RP)
2013 TRAVIS OAK CREEK GP, LLC and 2013 TRAVIS OAK CREEK, LP,	Civil Action No. 1:17-cv-584-RP (Consolidated with 1:17-cv-560-RP)
2013 TRAVIS OAK CREEK GP, LLC and 2013 TRAVIS OAK CREEK, LP,	Civil Action No. 1:17-cv-584-RP (Consolidated with 1:17-cv-560-RP)
2013 TRAVIS OAK CREEK GP, LLC and 2013 TRAVIS OAK CREEK, LP, Plaintiffs, v.	Civil Action No. 1:17-cv-584-RP (Consolidated with 1:17-cv-560-RP)
2013 TRAVIS OAK CREEK GP, LLC and 2013 TRAVIS OAK CREEK, LP, Plaintiffs, v. PNC BANK, N.A. and COLUMBIA	Civil Action No. 1:17-cv-584-RP (Consolidated with 1:17-cv-560-RP)
2013 TRAVIS OAK CREEK GP, LLC and 2013 TRAVIS OAK CREEK, LP, Plaintiffs, v.	Civil Action No. 1:17-cv-584-RP (Consolidated with 1:17-cv-560-RP)
2013 TRAVIS OAK CREEK GP, LLC and 2013 TRAVIS OAK CREEK, LP, Plaintiffs, v. PNC BANK, N.A. and COLUMBIA HOUSING SLP CORPORATION	Civil Action No. 1:17-cv-584-RP (Consolidated with 1:17-cv-560-RP)
2013 TRAVIS OAK CREEK GP, LLC and 2013 TRAVIS OAK CREEK, LP, Plaintiffs, v. PNC BANK, N.A. and COLUMBIA	Civil Action No. 1:17-cv-584-RP (Consolidated with 1:17-cv-560-RP)

MOTION FOR STATUS CONFERENCE

2013 Travis Oak Creek GP, LLC, 2013 Travis Oak Creek Developer, Inc., Chula Investments, Ltd., and Rene O. Campos (collectively "Defendants") file this Motion for Status Conference, and respectfully show as follows:

1. The parties agreed upon and on September 7, 2017 filed a joint submission of a proposed scheduling order, on the Court's required form. [Doc. 81].

2. Following a telephonic status conference, the Court entered a scheduling order on

October 16, 2017. [Doc. 99].

3. After the scheduling order was entered, counsel for the Defendants requested from

Plaintiffs' counsel, dates for depositions of various party witnesses and a non-party witness, and

further sought an agreement about when the parties should exchange initial disclosures.

4. Counsel for the Plaintiffs responded "we have not had a Rule 26(f) conference yet,

which is a condition precedent to discovery from any source." He thereafter has refused to

cooperate in scheduling depositions or even to agree to a date to exchange initial disclosures.

5. Rule 26(f) conferences, if required, are required to occur at least 21 days before a

scheduling conference is to be held or a scheduling order is due under Rule 16(b). Counsel for the

Defendants understood that the process described in paragraphs 1 and 2 above included or

subsumed any Rule 26(f) conference that may have been required in this case, if one was required,

and that the entry of a scheduling order authorized the commencement of discovery, to occur

before the deadline specified in the scheduling, without any other conditions precedent, or

limitation.

6. Defendants accordingly request a status conference to resolve this disagreement

about whether or when discovery can commence.

Respectfully submitted,

/s/ Kenneth B. Chaiken

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ATTORNEYS FOR DEFENDANTS 2013 TRAVIS OAK CREEK GP, LLC AND RENE O. CAMPOS

CERTIFICATE OF CONFERENCE

I hereby certify that I notified Rob Hoffman and James Bookhout, counsel for PNC Bank, National Association and Columbia Housing SLP Corporation that this motion would be filed today and requested that they inform me whether they oppose it. Neither respond to the request.

/s/ Kenneth B. Chaiken
Kenneth B. Chaiken

CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was served on all counsel of record via the Court's electronic filing system on this 22^{nd} day of November, 2017.

/s/ Kenneth B. Chaiken
Kenneth B. Chaiken